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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 U.S. BANK, N.A., SUCCESSOR TRUSTEE
12 TO BANK OF AMERICA, N.A.,
13 SUCCESSOR IN INTEREST TO LASALLE
14 BANK, N.A., AS TRUSTEE, ON BEHALF
15 OF THE HOLDERS OF THE WASHINGTON
16 MUTUAL MORTGAGE PASS THROUGH
17 CERTIFICATES, WMALT SERIES 2005-10,

Case No. 2:16-cv-02801-JCM-EJY

**JUDGMENT BY DEFAULT AGAINST
DAVID L. MCCOY AND PAMELA
MCCOY**

18 Plaintiff,

19 vs.

20 SFR INVESTMENTS POOL 1, LLC, a
21 Nevada limited liability company; SHERMAN
22 OAKS ESTATES OWNERS ASSOCIATION,
23 a Nevada non-profit corporation,

Defendants.

24 SFR INVESTMENTS POOL 1, LLC, a
25 Nevada limited liability company,

26 Counter/Cross Claimant,

27 vs.

28 U.S. BANK, N.A., SUCCESSOR TRUSTEE
29 TO BANK OF AMERICA, N.A.,
30 SUCCESSOR IN INTEREST TO LASALLE
31 BANK, N.A., AS TRUSTEE, ON BEHALF
32 OF THE HOLDERS OF THE WASHINGTON
33 MUTUAL MORTGAGE PASS THROUGH
34 CERTIFICATES, WMALT SERIES 2005-10;
35 DAVID L. MCCOY, an individual; PAMELA
36 MCCOY, and individual,

Counter/Cross Defendants.

1 This matter came before the Court on SFR Investments Pool 1, LLC's ("SFR") Application
2 for Judgment by Default against David L. McCoy and Pamela McCoy ("the McCoys" or "Cross-
3 Defendants"). Having considered the application, including the declarations attached thereto, the
4 Court makes the following findings of fact and conclusions of law:

- 5 1. On January 17-2017, SFR filed a Cross-Claim [ECF No. 19] for quiet title and injunctive
6 relief against Cross-Defendants, relating to real property located at **4779 Laurel Canyon Street,**
7 **Las Vegas, Nevada 89129; Parcel No. 138-04-511-010** ("the Property").
8 2. Cross-Defendants failed to answer the complaint within the 21-day time limit set forth in
9 FRCP 12. The Clerk of the Court appropriately entered a default against Cross-Defendants on June
10 1, 2017.
11 3. Cross-Defendants are not incompetent, infants, or serving in the United States military.
12 4. SFR submitted credible evidence in support of its application in the form of documents
13 obtained from the Official Records of the Clark County Recorder and declarations made under
14 penalty of perjury that demonstrate prima facie grounds sufficient to enter default judgment against
15 Cross-Defendants.

16 NOW, THEREFORE, pursuant to FRCP 55(b)(2), having considered the evidence and
17 made the foregoing findings of fact and conclusions of law, and finding good cause,

18 IT IS ORDERED, ADJUDGED AND DECREED that Cross-Defendants David L. McCoy
19 and Pamela McCoy, any successors and assigns, have no right, title or interest in the Property and
20 that SFR is the rightful title owner.

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1 IT IS FURTHER ORDERED that this judgment does not adjudicate SFR's claims against,
2 or the defenses of, any other party to this case.

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4 *Xenia C. Mahan*
5 UNITED STATES DISTRICT COURT JUDGE
6 Dated: January 21, 2020.
7

8 Respectfully submitted by:
9

10 **KIM GILBERT EBRON**

11 /s/ Jason G. Martinez

12 JASON G. MARTINEZ, ESQ.

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16 *Attorneys for SFR Investments Pool 1, LLC*

17 DATED this 15th day of January, 2020.

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